

### **REMARKS**

Claims 1-20 are pending.

In the office action that was mailed June 30, 2008, claims 1-20 were rejected under 35 U.S.C. §112, ¶1 as failing to comply with the enablement requirement. The Examiner stated that the limitation of, “the network-portion capabilities contained in the listing being updateable by the mobile node in response to unsuccessful attempts made by the mobile node to access packet data connectivity of the network portions,” was not supported by the disclosure.

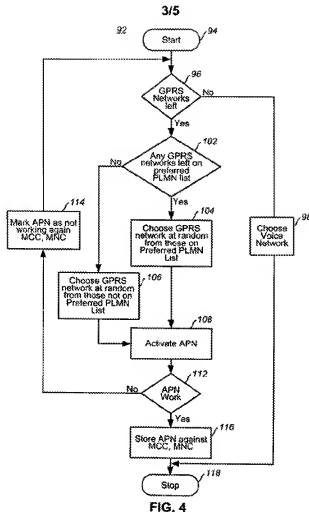
In response to the office action, claim 1 has been amended to traverse the rejection by revising the claims to recite that “*packet data communication* capabilities of ... the network portions ...[are]... updateable by the mobile node in response to unsuccessful attempts made by the mobile node to access packet data connectivity....” Stated another way, the term, “network portion capabilities” has been changed to --packet data communication capabilities--.

Dependent claims 7 and 8 have been amended to change their recitation of, “network portion capabilities” to --packet data communication capabilities-- and thereby make them conform exactly to claim 1. Independent claim 15 has been amended to recite that the claimed method includes the step of updating the *packet data communication* capabilities contained in the .... mobile node, responsive to unsuccessful attempts ...by the mobile node to access *packet* data connectivity services....” The claims have thus been amended to recite that *the mobile node* updates its internal listing of *packet data-capable* networks based on whether the mobile node is able to successfully access a network that is supposed to have such capability.

Support for the claim amendments can be found in Figure 4, which illustrates a method flow diagram for the mobile device, and the description of Figure 4 on page 12.

Referring now to page 12, at line 21 the specification states that at block 108 of Figure 4, the mobile node activates the Access Points Name (of a network listed in the mobile device) in order to “attempt packet access to the selected network.” At line 22, the specification states that a determination is made (by the mobile node) at decision block 112, *“as to whether the access attempt was successful.”* Lines 23 and 24 go on to state that if the packet data access attempt (by the mobile node) was not successful that “the no branch is taken to ...block 114, and the APN is marked [by the mobile node] as not working for the identified network and a return is made to the decision block 96.”

The inset below is a copy of Figure 4 and is provided for the Examiner's convenience. Decision block 112 of Figure 4 clearly shows that if the mobile node's attempt to access packet data connectivity with the network was not successful, the APN for that network is marked by the mobile node as not working. Since the APN identifies the network, the methodology depicted in Figure 4 and described on page 12 fully supports claim 1 and claim 15.



Since Figure 4 of the application clearly depicts what happens in the mobile node, and since the description of the steps of Figure 4 provided on page 12 provide literal support what is recited in amended claims 1 and 15, the amended claims traverse the rejection that was made by the Examiner under 35 U.S.C. §112, ¶1. Stated another way, amended claims 1 and 15 are fully supported by the written description.

Since no prior art was cited against claims 1-20, the claims should now be in condition for allowance. Reconsideration of claims 1-20 is therefore respectfully requested.

Respectfully submitted,

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